

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>LASHEENA SIPP-LIPSCOMB <i>et al.</i></b>  <b>v.</b>  <b>EINSTEIN PHYSICIANS PENNYPACK PEDIATRICS, <i>et al.</i></b>	<b>CIVIL ACTION</b>  <b>NO. 20-1926</b>
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**ORDER**

**AND NOW**, this 9th day of December, 2020, upon consideration of (1) St. Chris Defendants’ Motion to Dismiss (ECF 68),<sup>1</sup> and the Response, Reply, and Sur-Reply thereto (ECF 73, 77, and 80, respectively); (2) Teleradiologist Defendants’ Motion to Dismiss (ECF 81)<sup>2</sup> and the Response thereto (ECF 82); and (3) Eric Cho’s Motion to Dismiss (ECF 83) and the Response thereto (ECF 84); and for the reasons given in the accompanying Memorandum, it is hereby ORDERED that:

- St. Chris Defendants’ Motion to Dismiss is DENIED;
- Teleradiologist Defendants’ Motion to Dismiss is DENIED;
- Cho’s Motion to Dismiss is GRANTED to the extent it seeks dismissal of Count VII as a standalone cause of action; and
- Cho’s Motion to Dismiss is DENIED in all other respects.

Further, the Court GRANTS Plaintiffs leave to amend Count VI of their Amended Complaint (ECF 57) to encompass the theory of negligence per se.

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<sup>1</sup> “St. Chris Defendants” indicates American Academic Health System, LLC; Hayley Bartkus; Erin E. Hassel, MD; Pramath Nath, MD; Philadelphia Academic Health Holdings, LLC; Philadelphia Academic Health System, LLC; and St. Christopher’s Healthcare, LLC.

<sup>2</sup> “Teleradiologist Defendants” indicates Arjun Kalyanpur, MD, and Teleradiology Solutions, P.C.

**BY THIS COURT:**

**s/ Michael M. Baylson**

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**MICHAEL M. BAYLSON**  
**United States District Court Judge**